

**All corrections to notes on this calendar should be filed no later than 12 P.M. (Noon) on 11-25-08. Document filed after this time may not be reviewed prior to hearing and could result in a continuance of your case. The update to these notes will be posted in the late afternoon of the following day.**

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**The Probate Examiners can be reached at ProbateNotes@courts.sbcounty.gov. Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or procedural advice may be given.**

CIVCAL4                      Rancho Cucamonga District  
                                    Rancho District  
                                    GUARDIANSHIP CALENDAR

HONORABLE COMMISSIONER MICHAEL J GASSNER

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DATE: 12/02/08                      TIME: 9:30      DEPT: R15P  
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CASE #: GARRS800115

CASE NAME: YVONNA ALBERT, ERICKA CARTER & SABRINA SANFORD

HEARING:  
Petition for APPOINTMENT OF GUARDIAN OF THE PERSON

COUNSEL:  
VERTRICA WILLIAMS                      (PET)...PRO/PER  
YVONNA ALBERT                      (MIN)...  
ERICKA CARTER                      (MIN)...  
SABRINA SANFORD                      (MIN)...

GENERAL INFORMATION

Temporary Letters issued 8/13/08.

Continued from 9/9/08 as petitioner is referred to GAP

**Continued from 10/28/08 to clear remaining probate notes. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by maternal grandmother, minors 11, 6 and 2

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petition indicates that minors Yvonna and Ericka are living with father #1 (Henry Albert) and minor Sabrina is living with a person of unknown relation, Katrina Bailey, in Los Angeles County. Court may wish to inquire as to the current whereabouts of the children.
2. Petition indicates minor, Sabrina is living in Los Angeles County. The proper county for the commencement of a guardianship proceeding is the county in which the proposed ward resides or such county as may be in the best interest of the proposed ward. JTD
3. Court may wish to inquire if Katrina Bailey will file a competition petition in Los Angeles County.
4. Need notice of hearing and proof of personal service on mother and father #1 (Henry Albert) & #2 (Earl Sanford).

5. Need notice of hearing and proof of mail service on MGPs and PGPs #1 & #2 each or file due diligence declaration(s).

RECOMMENDATION:

Need notice and court's determination re venue (note 2).

CIVCAL4                      Rancho Cucamonga District  
                                    Rancho District  
                                    GUARDIANSHIP CALENDAR

HONORABLE COMMISSIONER MICHAEL J GASSNER

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DATE: 12/02/08              TIME: 9:30      DEPT: R15P  
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CASE #: GARRS800121

CASE NAME: KAITLYN ELIZABETH FREITAG

HEARING:

Petition for APPOINTMENT OF GUARDIANSHIP OF THE PERSON OF  
KAITLYN ELIZABETH FREITAG

COUNSEL:

EDNA MCINTYRE                      (PET)...LAW FIRM OF DENISE M. SPRINGER  
HAROLD MCINTYRE                      (PET)...LAW FIRM OF DENISE M. SPRINGER  
KAITLYN ELIZABETH FREITAG      (MIN)...

GENERAL INFORMATION

Ex-parte hearing 8/21/08 no temporary guardianship granted. Court orders visitation for petitioners. Petitioner to participate in counseling prior to next hearing.

**Continued from 10/21/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by maternal grandparents, minor 3

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Mother deceased. Petitioners allege mother wished to nominate maternal grandparents as the guardians of the minor, but passed away prior to signing her will. Petitioners submit a declaration from Attorney Sheasby indicating that mother was ill at the time of the consultation re mother's will and due to her illness mother was unable to speak, but rather wrote her communications to the attorney indicating her desire to nominate petitioners. As the will is not a valid will, question if attorney retained the written communications from mother.
2. Section 2 of the Child Information Attachment is incomplete as to father and PGPs. Though a copy of minor's birth certificate has father listed and petitioner provides a copy of certificate of marriage listing PGPs, petitioners allege that the person listed as the father of the minor is not the biological father. However, as Arthur Freitag is listed on the minor's birth certificate and is at least the minor's

step-father notice is still required and need a corrected Child Information Attachment form.

3. Need Attachment 3 of the Confidential Screening for as to proposed guardian Harold McIntyre.

**RECOMMENDATION:**

Need to clear notes.

CIVCAL4                      Rancho Cucamonga District  
                                    Rancho District  
                                    GUARDIANSHIP CALENDAR

HONORABLE COMMISSIONER MICHAEL J GASSNER

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DATE: 12/02/08                      TIME: 9:30      DEPT: R15P  
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CASE #: GARRS800142

CASE NAME: LILLY MARIE BONTEMPO

HEARING:  
Petition for APPOINTMENT OF GUARDIAN OF PERSON

COUNSEL:  
ELIZABETH FORSYTH                      (PET)...EDWARDS-SWIFT & ASSOCIATES  
LILLY MARIE BONTEMPO                      (MIN)...

GENERAL INFORMATION

**Continued from 10/21/08 for service on paternal grandmother.**

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by  
maternal step-grandmother, minor 1

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Mother and father each signed a waiver and consent.
2. PGF deceased.
3. Need notice of hearing and proof of mail service on Biological-MGM and PGM  
each or file due diligence declaration(s)

RECOMMENDATION:  
Need notice.

CIVCAL4                      Rancho Cucamonga District  
                                    Rancho District  
                                    GUARDIANSHIP CALENDAR

HONORABLE COMMISSIONER MICHAEL J GASSNER

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DATE: 12/02/08                      TIME: 9:30      DEPT: R15P  
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CASE #: GARRS800145

CASE NAME: NOAH R DAVIS

HEARING:

Petition for APPOINTMENT OF GUARDIANSHIP FOR NOAH R DAVIS

	COUNSEL:
SHERILEE PEACE	(PET)...PRO/PER
NOAH R DAVIS	(MIN)...

GENERAL INFORMATION

Temporary Letters issued 9/29/08

**Continued from 10/28/08 to clear probate notes. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by  
maternal aunt, minor 12

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Mother, MGF and PGPs are deceased.
2. Need notice of hearing and proof of personal service on father and minor.
3. Need notice of hearing and proof of mail service on siblings 12 or older and  
MGM or file due diligence declaration(s)

RECOMMENDATION:

Need notice.

CIVCAL4                      Rancho Cucamonga District  
                                    Rancho District  
                                    GUARDIANSHIP CALENDAR

HONORABLE COMMISSIONER MICHAEL J GASSNER

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DATE: 12/02/08              TIME: 9:30      DEPT: R15P  
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CASE #: GARRS800172

CASE NAME: GEORGE NICHOLAS

HEARING:

Petition for APPOINTMENT OF GUARDIAN FOR PERSON OF GEORGE NICHOLAS

COUNSEL:

HERLINA TAMBUNAN              (PET)...PRO/PER  
GEORGE NICHOLAS              (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by paternal grandmother, minor 12

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Father, PGF and MGF are deceased.
2. Minor, sibling and MGM have signed a waiver and consent.
3. Need notice of hearing and proof of personal service on mother.
4. Court may wish to review the Confidential Screening form.

RECOMMENDATION:

Need notice as to mother.



CIVCAL4                      Rancho Cucamonga District  
                                    Rancho District  
                                    GUARDIANSHIP CALENDAR

HONORABLE COMMISSIONER MICHAEL J GASSNER

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DATE: 12/02/08                      TIME: 9:30      DEPT: R15P  
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CASE #: RG RS00932

CASE NAME: TYLER AND TREVOR ABBOTT

HEARING:  
Accounting Review

	COUNSEL:
ALLISON ROEHL	(PET)...CHRISTINA FERRANTE
TYLER ABBOTT	(MIN)...
TREVOR ABBOTT	(MIN)...

GENERAL INFORMATION

Continued from **1/8/08** and **3/11/08** at request of counsel. Nothing new filed.

Continued from **4/29/08** at request of counsel. Nothing new filed.

**Continued from 6/17/08, 9/2/08 and 10/21/08 at request of petitioner. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 10/31/06 Court approved the 3<sup>rd</sup> accounting; 4<sup>th</sup> accounting now due.
2. No accounting filed

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2. There is no bonding company to notice

CIVCAL4                      Rancho Cucamonga District  
                                    Rancho District  
                                    GUARDIANSHIP CALENDAR

HONORABLE COMMISSIONER MICHAEL J GASSNER

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DATE: 12/02/08              TIME: 9:30      DEPT: R15P  
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CASE #: RG RS00985

CASE NAME: CARRINA ALEXANDRA BRAVO

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

JUDITH BRAVO                      (PET)...PRO/PER  
CARRINA ALEXANDRA BRAVO      (MIN)...

GENERAL INFORMATION

Guardianship granted to MGM 8/24/01

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by guardian, minor 11

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges minor wishes to reside with minor's uncle in the State of New Mexico. Petitioner alleges a guardianship is in the process of being established in that state. Petitioner submits a copy of Temporary Guardianship orders for the State of New Mexico.
2. Mother deceased; MGF and siblings have signed a waiver and consent.

RECOMMENDATION:

Court's discretion.

CIVCAL4                      Rancho Cucamonga District  
                                    Rancho District  
                                    GUARDIANSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

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DATE: 12/02/08              TIME: 9:30      DEPT: R16P  
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CASE #: GARRS800173

CASE NAME: REYLENE GARCIA,VICTORIA DELGADO,PHILIP MARTINEZ JR

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

REBECCA SANCHEZ	(PET)...PRO/PER
REYLENE M GARCIA	(MIN)...
VICTORIA E DELGADO	(MIN)...
PHILIP A MARTINEZ JR	(MIN)...

GENERAL INFORMATION

Temporary Letters issued 11/4/08

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by maternal grandmother, minors 12, 7 and 11 months

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need notice of hearing and proof of personal service on mother and father #2(Aaron Delgado).
2. Need notice of hearing and proof of mail service on PGPs #2(Poncho Delgado & Susie Leon) and PGF #3(Romero Martinez) or file due diligence declaration(s).
3. Court may wish to review the Confidential Screening form.

RECOMMENDATION:

Need notice.

CIVCAL4                      Rancho Cucamonga District  
                                    Rancho District  
                                    GUARDIANSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

-----  
DATE: 12/02/08              TIME: 9:30      DEPT: R16P  
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CASE #: RG RS00982

CASE NAME: TAYLOR JO SLIZ

***ALSO SEE PAGE 3***

HEARING:

Order to Show Cause re: Suspend Guardian of Estate and surcharge  
guardian filed by KELLY JO BAKER.

COUNSEL:

KELLY JO BAKER	(PET)...CHRISTINA FERRANTE
TAYLOR JO SLIZ	(MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON OSC re Suspension and Surcharge of Guardian

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Matter set on court's own motion at the time set for hearing on 3<sup>rd</sup> accounting on 9/23/08. Petitioner to file a declaration as to when and why money was taken out of minor's account.
2. Need declaration by guardian.

RECOMMENDATION:

Court's discretion. See notes on following page.

CIVCAL4                      Rancho Cucamonga District  
                                    Rancho District  
                                    GUARDIANSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

-----  
DATE: 12/02/08                      TIME: 9:30      DEPT: R16P  
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CASE #: RG RS00982

CASE NAME: TAYLOR JO SLIZ

***ALSO SEE PAGE 2***

HEARING:  
Accounting Review

	COUNSEL:
KELLY JO BAKER	(PET)...CHRISTINA FERRANTE
TAYLOR JO SLIZ	(MIN)...

GENERAL INFORMATION

Mother appointed guardian of the estate 8/10/01.

**Continued from 9/23/08. Court sets OSC and orders petitioner to file a declaration as to when and why money was taken out of minor's account**

THIS CASE IS SET FOR HEARING ON 3<sup>rd</sup> account current and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need proof of service of the supplement per CRC§ 7.53(b)
2. Accounting period covers 3/1/06 – 3/31/08.
3. Summary of Account and supporting schedules are not on the mandatory Judicial Council forms for the Simplified Accounting (GC-400/405). Also, under the charges of the summary of account petitioner lists a decrease for the accounting period. If petitioner is showing a loss from sale or trade, this amount should be reflected under credits. It cannot be determined if this accounting balances. Please file amended accounting using the proper forms
4. No schedule of receipts filed. Need all supporting schedules per Pr.C.§1062.
5. Disbursements show a payment to guardian on 5/10/06 in the amount of \$225.00 as "Court approved guardian fees". However, guardian had waived compensation in the last accounting. Need verified supplement explaining.  
**Supp: petitioner alleges she was unaware of waiving compensation and hereby rescinds the waiver. As petitioner has made a payment for**

**compensation without prior court approval, does court wish to require petitioner to repay the estate?**

6. A parent has a duty to provide for minor children. File verified supplement explaining why petitioner spent \$2,810.10 from minors' estate for dental work, clothing, shoes, and bedroom furniture set. **Supp: petitioner alleges the purchases were made to maintain the minor's self-esteem due to the loss of his father.**
7. Disbursements also show a total of \$1,004.48 spent on a family trip and 2 days at amusement parks. Judge to decide if these payments are reasonable.
8. Disbursement on 4/1/08 for "House rent" in the amount of \$2,250.00. As assets do not include real property, question why minor's estate is paying rent. Need verified supplement. **Supp: petitioner alleges she has been unable to financially support minor in the standard he was accustomed to when his father was alive. Father passed away on 3/10/01. As petitioner has made payments without prior court approval, does court wish to require petitioner to repay the estate?**
9. **Bond is currently set at \$10,000. The total cash on hand at the end of the accounting period shows the estate has spent down approximately \$28,000.26. Question if bond is sufficient. File verified supplement. Alternatively, Court may wish to require petitioner to place funds in blocked accounts.**
10. Petition indicates attorney requests fees of \$1,500.00 for legal services. However, attorney's declaration states that attorney waives all fees in excess of \$1,250.00. Question what amount is being requested. Need verified supplement.

**RECOMMENDATION:**

If Court orders petitioner to place funds in blocked accounts, set hearing re OSC re proof of deposit into blocked account for 11/4/08.

If accounting approved, court to set next accounting review for the final account for 9/28/10. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

CIVCAL4                      Rancho Cucamonga District  
                                    Rancho District  
                                    GUARDIANSHIP CALENDAR

HONORABLE JUDGE LINDA M WILDE

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DATE: 12/02/08              TIME: 9:30      DEPT: R17P  
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CASE #: GARRS800168

CASE NAME: TOMMY R WALK

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ROSE P WHITACRE	(PET)...PRO/PER
ROBERT L WHITACRE	(PET)...PRO/PER
TOMMY R WALK	(MIN)...

GENERAL INFORMATION:

Temporary Letters issued 10/27/08

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by great-aunt & uncle, minor 16

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner indicates his relationship to the minor as a non-relative, but explains that the minor is "our niece's son", thus petitioner's relationship is great-aunt & uncle. Any person denoted by the prefix "great" is considered a relative per Pr.C.§1511. Court will need to determine the actual relationship to minor. If it is determined that petitioner is in fact a non-relative, a DCS report will be required. JTD
2. Court may wish to review guardian, Robert Whiacre's, Confidential Screening form and may wish to request clarification as to question #14. JTD
3. Need notice of hearing and proof of personal service on mother and father each
4. Need notice of hearing and proof of mail service on MGPs and PGM each or file due diligence declaration(s)

RECOMMENDATION:

Need notice and Court's determination re notes 1-2.

CIVCAL4                      Rancho Cucamonga District  
                                    Rancho District  
                                    GUARDIANSHIP CALENDAR

HONORABLE JUDGE LINDA M WILDE

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DATE: 12/02/08              TIME: 9:30      DEPT: R17P  
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CASE #: RG RS00997

CASE NAME: GERARDO MANUEL AGUILAR

HEARING:  
Petition for Appointment of Guardian 12/02/08

COUNSEL:  
GLORIA TORRES              (PET)...  
GERARDO MANUEL AGUILAR      (MIN)...  
XAVIER TORRES              (PET)...PRO/PER

GENERAL INFORMATION

Temporary Letters issued 12/3/07.:

Continued from **1/8/07** for verified supplement, notice of hearing and proof of service on MGF and PGPs or due diligence declarations.

Continued from **2/5/08** for DCS report. Nothing new filed.

Continued from **4/8/08** and **05/06/08** AND 6/3/08 at request of DCS.

On **7/15/08** Court set this OSC hearing as there was no appearance. Clerk mailed notice

Continued from **8/12/08**. No appearance. Clerk mails notice to counsel at 2627 Waterman E address. Counsel is to file appropriate change of address with the Court.

**On 9/16/08 matter came on for OSC re Dismissal. Attorney Tilton is relieved as counsel for petitioner, Gloria Torres. DCS states it is waiting for LiveScan results on uncle. Court places matter re Petition for Appointment back on calendar.**

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by maternal 2<sup>nd</sup> cousin (Xavier Torres), minor 12

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. This is a petition for a successor guardianship as the prior guardian died.
2. As petitioner is a cousin greater than the first degree to the minor a D.C.S. report is required.
3. Item 2 of the Child Information attachment is incomplete as no addresses are listed and no name is listed for MGF. Need verified supplement. Declaration indicates the identity and whereabouts as to father and PGPs are unknown as



father is not listed on minor's birth certificate (copy in file tabbed). Thus, the whereabouts of father and PGPs are unknown. However, the petition lists the names of father and PGPs, but that the addresses are unknown and petitioner has filed requests to excuse notice to these persons. JTD

4. Need notice of hearing and proof of personal service on mother (Maria Patricia Aguilar).
5. Due diligence declaration filed as to MGF indicating the identity of mother's father is unknown on mother's birth certificate and efforts to identify and locate MGF were unsuccessful. JTD

**RECOMMENDATION:**

Need notice on mother and need DCS report, then Court's determination re note 3 & 5.

CIVCAL4                      Rancho Cucamonga District  
                                    Rancho District  
                                    GUARDIANSHIP CALENDAR

HONORABLE JUDGE LINDA M WILDE

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DATE: 12/02/08              TIME: 9:30      DEPT: R17P  
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CASE #: RG RS01829

CASE NAME: AMANDA LYNN GAUTIER

HEARING:  
Hearing Re: Review of guardianship

COUNSEL:  
PAMELA RAMIREZ              (PET)...DIANE M HARTOG  
ARTHUR RAMIREZ              (PET)...DIANE M HARTOG  
AMANDA LYNN GAUTIER              (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Review of Guardianship

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Matter set at the time set for hearing on Petition for Guardianship, by MGPs on 11/20/07. Mother and Father were present. Guardianship granted for a period of one year pursuant to agreement between parties.

RECOMMENDATION:  
None.